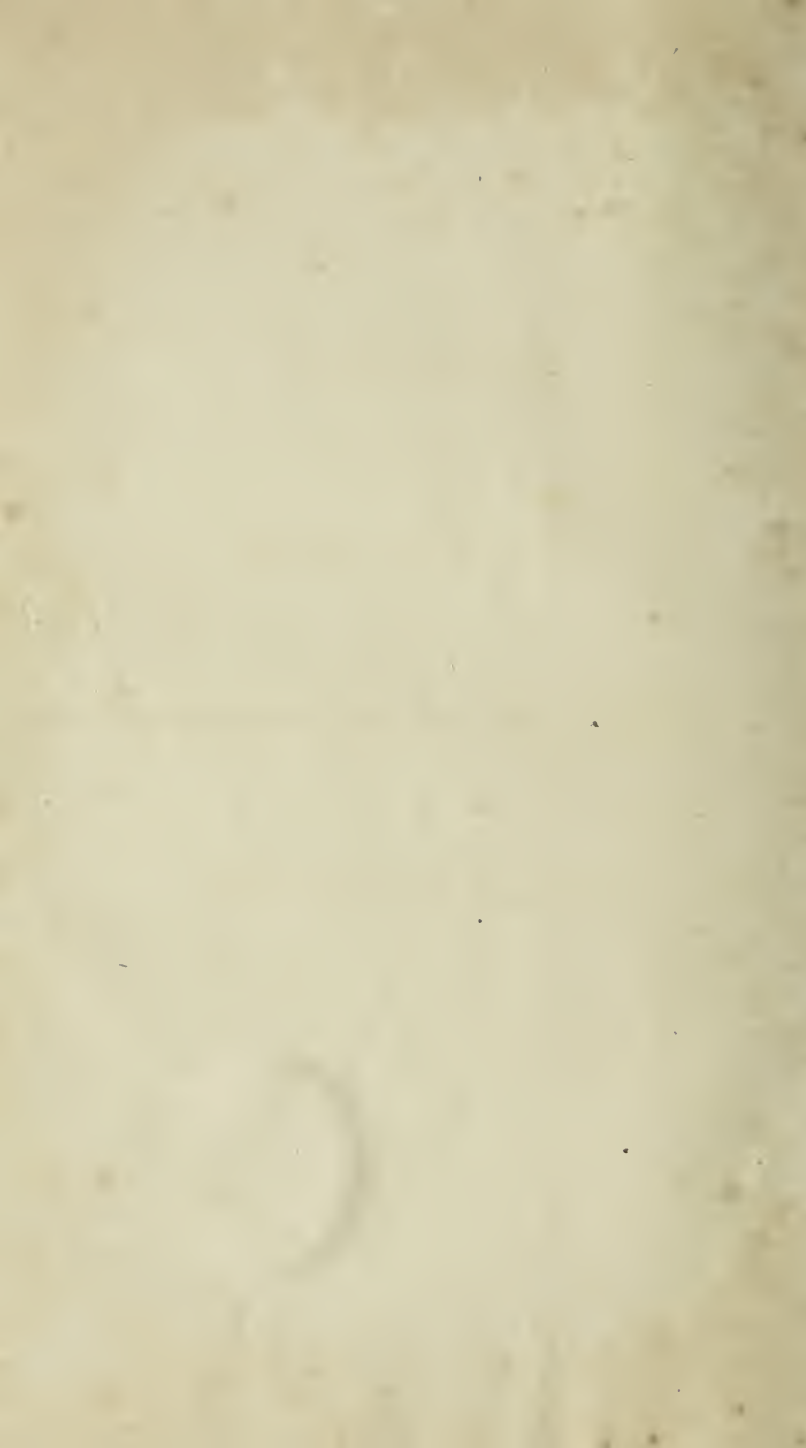


INSTRUCTIONS
FROM
THE CENTRAL BOARD
OF
POOR LAW COMMISSIONERS
TO
ASSISTANT COMMISSIONERS.







Great Britain - Poor law commissioners

INSTRUCTIONS

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ASSISTANT COMMISSIONERS.

By Prof. Nassau W. Senior.

[1835]



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INSTRUCTIONS.

22 Mar 45
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THE Central Commissioners are directed by His Majesty's Commission to make a diligent and full inquiry into the practical operation of the Laws for the relief of the Poor in England and Wales, and into the manner in which those laws are administered, and to report whether any, and what, alterations, amendments, or improvements may be beneficially made in the said laws, or in the manner of administering them; and how the same may be best carried into effect.

This extensive inquiry may be conveniently divided into four heads:—

I. The form in which parochial relief is given.

II. The persons to whom it is given.

III. The persons by whom it is awarded.

IV. The persons at whose expence it is given.

It is probable that this inquiry will suggest considerable alterations in the existing law ; and it is also probable that those alterations may be facilitated by some further measures, such as —

V. Affording facilities for emigration.

VI. Facilitating the occupation and even the acquisition of land by labourers.

VII. Removing the tax on servants, so far as it is found to interfere with their residence under their employers' roof.

VIII. Improving the rural police.

On these points there is already much information before the public, and much more may be expected from the replies to the queries circulated by the Commissioners. Those replies must, however, in general, be imperfect, from the absence of details and vouchers as to matters of fact, and of reasons where opinions are stated. There is no comparison between the information afforded by them to the central Commissioners, and that which could be obtained if it were in their power to sift the facts and the opinions contained in the different replies by the inspection of documents and cross-examination of

witnesses ; if they could ascertain the state of the poor by personal inquiry among them, and the administration of the poor laws, by being present at vestries and at the sessions of magistrates.

As the constitution of the Central Board renders it impossible that these offices can be adequately performed by them in person, it is proposed that they should be executed by Assistant Commissioners.

The duty of an Assistant Commissioner will be, to proceed to the district, which will be indicated to him by the Board, taking with him whatever replies may have been returned from that district, and sets of blank queries for distribution. He will also be furnished with letters from the Home Department, which he can direct and deliver as he may find it expedient, requesting assistance in his inquiries.

He will communicate with the clergy, magistrates, and parish officers, deliver the printed queries to those who have not received them, and arrange the times and places of meeting at which the replies already given, or to be given, are to be explained, and the parish books and other vouchers produced.

The inspection of these documents will enable him to judge of the correctness of the replies, and probably offer him subjects of further inquiry. An investigation into all the circumstances connected with a single entry, may give him a better insight into the actual management of a parish, than could have been derived from any voluntary statements. He will endeavour, as far as possible, to be present at vestry meetings, and at the petty sessions of magistrates.

He will keep a full daily journal of his proceedings, and give to the Central Board, at least once a week, a sketch of his proceedings. The Commissioners wish to leave it in the discretion of each Assistant Commissioner, either to make one final report at the termination of his labours, or distinct reports, from time to time, as soon as he has sufficient materials, but they would much prefer the latter course where it is practicable.

The urgency of the questions submitted to the Central Commissioners is such, that it is highly desirable that they should make their report to His Majesty before the commencement of the next session of Parliament. And as the reports which they will receive from

the Assistant Commissioners may be expected to form the most valuable part of their materials, it is important that they should all be received before the end of *November*. A much larger district has been assigned to each Assistant Commissioner than would have been expedient, if it had not been necessary to reduce, as far as it may be practicable, the number of their reports, and the expences of the Commission. It will be impossible, therefore, that each Assistant Commissioner should make a full, or even a cursory inquiry into the circumstances of each parish within his district, or even, in those parishes which he selects for observation, into all the subjects of inquiry which will be pointed out. He must use his own discretion as to the places which appear to be most deserving of investigation, and as to the points of inquiry which may be most successfully investigated in each particular parish: dwelling principally on those facts from which some general inference may be drawn, and which form the rule rather than the exception. And as it is understood that, although his time, like that of the other Commissioners, is to be afforded gratuitously, his expences

are to be borne by the public, he will endeavour so to arrange his proceedings, as to render those expences as moderate as may be consistent with the full performance of his duties.

Such is the outline of the general duties of an Assistant Commissioner.

The following instructions are intended to point out the specific points of inquiry which appear to the Commissioners to be the most material. They have been arranged, as far as it was practicable, under the heads into which the subject has already been divided. But it has been found impossible to keep the first and second heads distinct.

I. THE FORM IN WHICH RELIEF IS GIVEN.

The form in which relief is given must be either in kind or in money.

1. *Relief in Kind.*

Relief, when given in kind, is generally given in a parochial or incorporated poor-house, workhouse, or house of industry ; or by affording medical assistance, or lodging, or land.

The Assistant Commissioner will inquire, whether the parish, which is the subject of his inquiries, possesses or has the use of a work-house, poor-house, or house of industry, either confined to its own poor, or in common with any other parish or parishes.

Where the parish possesses or has the use of such an establishment, he will endeavour to obtain answers, as full and as particular as possible, to Questions 12, 13, 14, 15, 16, 17, 18, 19, and 20, of the town queries. He will also inquire whether the house possesses any garden or farm, and the use to which it is applied; and whether any school is attached to it, or any place where children are kept apart from its other inmates, and their religious and moral education attended to. He will endeavour to ascertain whether any means are adopted to prevent residence in the house from being an object of desire or indifference to the able-bodied poor, either by forced employment, restrictions on leaving it, separation of the sexes, prohibition of fermented liquors and tobacco, or by any other expedients, and the success of those measures. If no such measures are adopted, he will inquire into the causes and the conse-

quences of their omission ; and whether there is any and what class of persons who actually oppose, or may be expected to oppose, their introduction or enforcement. If such an establishment has been recently made, or enlarged, or discontinued, he will ascertain what have been the results : he will compare the condition of those parishes which do and those which do not give relief out of the house : he will inquire into the management and effects of incorporated or hundred houses, as compared with parochial establishments, and ascertain whether, in any cases in which workhouses would be desirable, the smallness of the parish forms the obstacle to their being established ; and whether the rate-payers are acquainted with the conditions under which parishes can now unite to form workhouses, or would be likely to avail themselves of any additional facilities that might be given for forming united workhouses, or houses of industry, to the expence of which parishes might contribute in proportion to the number of paupers they might severally send to them : and he will collect facts and opinions as to the practicability and expediency of an enactment prohibiting, with any and

what exceptions, relief to the able-bodied out of the workhouse or poor-house in any parish possessing, or having the use of, such an establishment.

Where relief is given, by affording medical attendance, he will inquire whether that relief is confined to the inmates of the workhouse, or is extended to any, and what, other class of persons, and what has been the average yearly expence of supplying it during the last three years. If a contract is made with the medical attendant, whether that contract includes the paupers, either casual or resident, who have settlements elsewhere; and, if it does not include them, what is the difference between the sums charged for their treatment, and those charged for the treatment of the settled paupers.

Where relief is given, by providing lodging, he will inquire whether this is effected by means of houses belonging to the parish, or by payment of rent on the pauper's behalf: and, where the latter practice exists, he will inquire into its effects on the rent of the apartments or cottages inhabited by the poor.

The remarks respecting relief in land will be found pages 38—40.

2. *Relief in Money.*

The questions concerning relief in money are so mixed up with those which respect the relief of the able-bodied, that it will be advisable to consider them under that head.

II. THE PERSONS TO WHOM RELIEF IS GIVEN.

The persons to whom relief is given may be divided into the impotent and the able-bodied.

1. *The Impotent.*

Under this head are comprised all those who are prevented, by disease of body or mind, by old age, or by infancy, from earning a part or the whole of their subsistence. The natural fund for the support of the legitimate children of the able-bodied is their parents' earnings. Parochial relief, when afforded to them, is afforded virtually to their parents. It is to be considered, therefore, under the head of relief to the able-bodied.

The impotent may, therefore, be divided into the diseased, the aged, and orphan and deserted children : to whom may be added, as

the law is now administered, bastards ; since the putative father, though he may be forced to contribute towards their support, never possesses the full rights or is subject to the full obligations of a father, and more frequently avoids both. The Assistant Commissioner will inquire what provision is made for lunatics and ideots ; and into the amount and the degree of relief afforded to the diseased and the aged, and to orphan children ; and particularly how far the clause of the 43d of *Elizabeth*, which directs the grandfather and father, grandmother and mother, and children of every poor, old, blind, lame, and impotent person, or other poor person not able to work, to be assessed to the support of every such poor person, is put in force ; and, if not put in force, what are the obstacles to its enforcement. He will inquire into the treatment of children deserted by their father ; and how far that crime appears to be encouraged by the father's reliance on their being maintained, in his absence, by the parish.

He will ascertain the practice of the parish in the apprenticing of poor children ; inquiring to what class of persons they are apprenticed, and whether such persons take

them voluntarily or by compulsion ; and, if the latter, according to what principle they are distributed : whether any, and what care is taken to see that they are well treated and taught ; and whether there are any grounds for supposing that a power to bind for less than seven years would be expedient.

He will consider the law and practice concerning bastardy as one of the most important subjects submitted to his investigation. The bastardy laws appear to produce effects very different from what may have been supposed to have been the objects of their institution. The sum charged on the father appears to have been intended merely as an indemnification to the parish. It often operates, however, as a punishment to the father, a pecuniary reward to the mother, and a means by which the woman obtains a husband, and her parish rids itself of a parishioner. It appears that the sum varies from 1*s.* to 2*s.* 6*d.* a week in country places, and 5*s.* in towns ; that it is frequently sufficient to repay the woman for the loss which her misconduct would otherwise have occasioned to her ; and, if she have more than one bastard, to be a source of emolument. The Com-

missioner will endeavour to ascertain the practice of each parish in bastardy cases, and its effects on the morals of the inhabitants, both male and female, and on the increase of population ; and to collect opinions in answer to the Questions 2, 3, and 4, of Queries No. 2.

And with reference to the degree in which the public provision for sickness and old age interferes with the exercise of prudence, he will inquire whether the parish has any Savings Bank, or Friendly or Benefit Societies, to which the labourers are contributors ; and the average amount of each labourer's annual contribution : and if that amount appears to be increasing or diminishing, he will endeavour to ascertain the causes of such increase or diminution. And he will collect facts and opinions as to the expediency and practicability of any further legislative measures for the promotion or regulation of such institutions.

2. *The Able-bodied.*

The able-bodied may be divided into the single and the married ; and, again, as a cross division, into the employed and the unemployed : and the employed may be divided

into those employed on account of the parish, and those employed by individuals.

The practice with respect to the relief of the able-bodied varies much in different parishes. In some it is absolutely refused ; in others it is confined to the married ; in others, to those who have one or more children. In some it is given only in kind ; in others, in money.

When given in money, it is generally effected in one of the five following modes : —

1st, By the parish giving to those who profess to be without employment a daily or weekly sum, without requiring from the applicants any work at all. The Commissioners have heard of unemployed able-bodied young men receiving half-a-crown a week from the parish, on condition of their giving no further trouble.

2d, By the parish employing and paying the applicants for relief.

3d, By the parish paying the occupiers of property, to employ the applicants for relief, at a rate of wages fixed by the parish, and depending not on the services, but on the wants, of the applicants ; the employer being repaid all that he advances beyond a certain

sum. This is the roundsman, or billet, or ticket system. On this plan the pauper receives in general a ticket from the overseer, directing him to apply to a given farmer, and to work for him a day at a certain sum; generally, about 1*s.* if a single man; 1*s.* 3*d.* if married, without a family; 1*s.* 6*d.* if he have a wife and one child; and so on. The value of his services is charged by the parish to the farmer, at a sum sometimes as low as 2*d.* a day; and all that the farmer has paid beyond that estimated value is repaid to him out of the rates.

4th, By an agreement among the rate-payers, that each of them shall employ and pay out of his own money a certain number of labourers, in proportion, not to his real demand for labour, but according to his rental, or to his contribution to the rates, or to the number of horses that he keeps for tillage, or to the number of acres that he occupies, or according to some other scale. Where such an agreement exists, it is generally enforced by an additional rate imposed, by general consent, on those who do not employ their full proportion. This may be called the labour rate system.

5th, By the parish allowing to the la-

bourers who are employed by individuals, relief in aid of their wages. In some places this is given only occasionally, or to meet occasional wants; to buy, for instance, a coat or a pair of shoes, or to pay the rent of a cottage. In other places it is considered that a certain weekly sum, or more frequently the value of a certain quantity of flour or bread, is to be received by each member of a family. The amount of the man's earnings (those of his wife and children are seldom inquired into) is ascertained, or at least professed, or attempted, to be ascertained; and the deficiency, if any, paid by the parish. In other places no such inquiry is made after there are a given number of children, beginning, sometimes at one, sometimes at two, sometimes at three, and sometimes at four, but a certain sum, or the price of a given quantity of flour or bread, is given to the father for each child above the specified number, whatever may be the amount of his earnings. 'The word "allowance" is sometimes used as comprehending all parochial relief afforded to those who are employed by individuals at the average wages of the district. But sometimes this term is confined to the relief which a person

so employed obtains on account of his children : any relief which he may obtain on his own account being termed “ payment of wages out of rates.”

It will be the duty of the Assistant Commissioner to ascertain how far any one or more of these practices may prevail, or may have prevailed, in a parish. Where relief is given to able-bodied persons absolutely unemployed, he will inquire whether the parish adopts this system merely to save trouble, or to save expence, either because a person when in employment requires a more costly diet, or because the value of his labour would not be equal to the cost of tools and materials. Where labour is professed to be required in return for relief, he will inquire into the nature of the employment, whether it is paid for by the day or by the piece, the amount of payment for a given amount of labour, the variation of payment according to age, sex, celibacy, or number of children, the superintendence by which the amount of labour exerted is ascertained, and the value of the produce after deducting the expence of tools and materials. And he will compare the amount of work done, and of money received,

by persons so employed by the parish, with the work which would have been exacted from the same persons, and the wages which would have been paid to them, if they had been employed by individuals. Places have been mentioned, where a man with a wife might have the choice of receiving 6s. a week from the parish for doing nothing, or 7s. 6d. from the parish for almost nominal work, from eight in the morning till three in the afternoon, or 9s. from a farmer for hard work during the regular hours of labour.

The Assistant Commissioner will endeavour to ascertain the time at which the relief of the able-bodied originated in any parish ; whether it is increasing, stationary, or diminishing, or has ceased ; and the causes and results of its origin, increase, continuance, diminution, or termination. Whether it arose in consequence of any sudden increase in the price of the necessaries of life, or any sudden diminution of the demand for labour, or any sudden increase in the number of labourers, or a desire to reduce the wages of men single, or with small families, or to throw on those who employ few labourers a part of the wages of those employed by others, or the inter-

ference of magistrates, or imitation of neighbouring parishes. He will also inquire into its effects on the industry, habits, and character of the labourer, the increase of population, the rate of wages, the profits of farming, the increase or diminution of farming capital, and the rent and improvement of land. He will particularly inquire into the effects of the labour rate system on grass lands, and on small farms, particularly when farmed by their proprietors, and on shopkeepers, and the owners of tithes, and others having a small demand for labour. And he will endeavour to ascertain whether any or all of these effects have occasioned such a rate of wages, or such a deficiency of profitable employment in proportion to the existing population, as to occasion any, and what, difficulty in its discontinuance ; and by what class of persons, and by what means its discontinuance is likely to be opposed. Where the difficulty appears to arise from a local redundancy of population, he will carefully distinguish between those cases of redundant population in which there are more labourers than could be profitably employed at the existing prices of produce, although the labourers were intelligent and

industrious, and the farmers wealthy, and those in which the redundancy is occasioned either by the want of capital among the farmers, or by the indolence or unskilful habits of the labourers. Where the redundancy is of the former description, he will endeavour to ascertain how far it has been occasioned by the stimulus applied to population by the relief of the able-bodied; and for that purpose inquire into the frequency of marriages where the husband at the time, or shortly before or after the time, of the marriage, was in the receipt of parish relief, and into the proportion of the number of such marriages to those of independent labourers; and compare the average age of marriage among paupers and among independent labourers. And, with a view to ascertain the effects of the relief of the able-bodied on the character of the labourers, he will inquire as to any difference in character between those who have and those who have not settlements in the parish. He will, of course, give particular attention to those cases in which the practice has been diminished or discontinued; to the class of persons by whom, and the means by which, such diminution or discontinuance has been effected; and to the class

of persons by whom, and the means by which, that diminution or discontinuance has been resisted: and to the effects of such diminution or discontinuance on the industry, habits, and character of the labourer, the increase of population, the rate of wages, the profits of farming, the increase or diminution of agricultural capital, and the rent and improvement of land; and he will particularly inquire whether such diminution or discontinuance has in any, and what, degree been effected by executing, as nearly as possible, that part of the 43d of *Elizabeth* which directs the parish officers “to set to work the children of all such whose parents shall not be thought able to keep and maintain them,” by feeding and employing such children, and refusing all other relief to the father.

III. THE PERSONS BY WHOM RELIEF IS AWARDED.

The persons by whom relief is awarded are—

1. The Overseers.
2. The Vestry either General or Select, or their Officers other than the Overseers.
3. The Magistrates.

1. *Overseers.*

In most parishes the overseers are annual officers, compelled to serve in rotation. It appears probable that such agents will be prevented by their other avocations from giving the time necessary to the vigilant and effectual performance of their duties ; that neither diligence nor zeal are to be expected from persons on whom a disagreeable and unpaid office has been forced ; and that, even when zealous and diligent, they will often fail from want of experience and skill. To these sources of mal-administration may be added the danger of the parochial fund being misapplied, either in the way of actual embezzlement, or, what is more frequent, through partiality and favouritism to the relations, friends, dependants, customers or debtors of the overseer, or through the desire of general popularity, or through the fear of general unpopularity, or of the hostility of particular individuals. The evils arising from the want of zeal, diligence, and experience, have been attempted to be remedied by the appointment of permanent assistant overseers with a salary : the degree in which this attempt has

been successful, is an important subject of investigation.

The Assistant Commissioner will inquire what have been the professions or trades of the overseers in the parish during the last ten years, the periods at which they came into office, and their usual period of service. Where an assistant overseer has been appointed, he will inquire as to the effects, and where one has been discontinued, into the causes and consequences, of such discontinuance. He will inquire how far the overseers or assistant overseers are competent judges of the work exacted from the paupers employed by the parish, particularly when that work consists, as is generally the case, of work on the road. He will inquire whether they unite to the office of overseer that of stone warden or way warden, or surveyor of the roads ; and if they do not, into the obstacles to the union of those offices with that of overseer, and into the inconveniences which arise from their separation. He will inquire into the mode in which the accounts of the parish are kept, audited, and published ; and he will collect facts and opinions as to the propriety of their being kept under distinct, and what, heads of

expenditure ; as to their being balanced and audited at more frequent, and what, periods ; by whom they should be audited, and whether any advantage would arise from their being periodically printed, with the names of those who have been relieved, the amount and the grounds of relief, and as to the possibility of enforcing such measures by enactment. He will endeavour to ascertain in each parish how far the parochial funds appear to have been properly or improperly applied, in consequence of all or any of the causes of mal-administration which have been adverted to. He will compare, on these points, the state of towns with that of villages, and of small with that of large parishes ; and will collect facts and opinions as to the effects that might be expected from the union or the subdivision of parishes, and from any change in the selection, and time of service, of unpaid and of salaried overseers.

2. *Vestries.*

So far as magistrates do not interfere, the superintendence of a parish devolves principally on the vestry. The Assistant Commissioner will ascertain in each parish whether the vestry is open or select, either under the

59th George 3. cap. 12. (commonly called Mr. Sturges Bourne's Act) or any local Act. He will inquire into its periods of meeting, the number of persons who usually attend, and their professions and trades ; inquiring particularly how many of them are employers of labourers, landlords of cottages, or keepers of shops frequented by the poor ; and how many of them, being farmers, farm their own property, or hold under leases, or from year to year, or at will. He will inquire what degree of authority or influence they exert over the parish officers. Where a select vestry has been established, he will ascertain what have been its effects ; and where one has been discontinued, into the causes and consequences of its discontinuance. He will collect facts and opinions as to the practicability and the probable effects of allowing a landlord, though not rated, to vote in the vestry in person or by proxy ; and if so allowed, what influence should be given to his vote, compared with that of the tenant, and how far that influence ought to depend on the amount of his property. Recollecting that, in the few cases mentioned in the parliamentary evidence of extensive reforms effected in country parishes,

those reforms generally appear to have been effected by the clergyman, he will particularly inquire in each parish what part the clergyman takes in the proceedings of the vestry. And with reference to the twenty-fifth question of Queries, No. 2., he will endeavour to ascertain whether, if the decision of the vestry or select vestry in matters of relief were made final, the vestry would be more likely to err by general profuseness, or by general niggardliness, or by partiality arising from any of the causes which have been pointed out as likely to occasion it to occur on the part of overseers.

3. *Magistrates.*

Great difference appears to exist in the degree in which magistrates in different districts interfere with the management of the poor. In some places they appear to act as if the property of the rate-payers were an unlimited fund, to be drawn upon by the magistrates as the stewards for the paupers; in others they appear to consider the overseers, or the vestry, as the proper distributors of parochial charity, and interfere, if at all, only in favour of the impotent. It is probable that

something between these two lines of conduct is the usual course, leaning towards the former in the worst administered rural districts, and towards the latter in the towns and the more prosperous parts of the country. This is a subject requiring the particular attention of the Assistant Commissioner. Where he finds much interference, he will inquire whether the magistrates who are most active or ready in such interference are or are not resident within the parish in whose concerns they interfere, or within what distance; whether they contribute to its rates, and attend its vestries; whether any and what profit arises to their clerks from summonses and orders. Where there are, or have been, select vestries, he will inquire how far the magistrates make orders for relief, without its having been previously proved on oath that application has been made to the vestry, and relief refused. He will inquire generally whether they pay any and what attention to the character of the applicant, and the causes of his distress. He will compare the parishes in which the interference of magistrates is frequent, with those in which it is sparingly exercised, as to the comparative industry, habits, and character

of the labourers, the increase of population, the rate of wages, the profits of farming, the increase or diminution of agricultural capital, and the rent and improvement of land. He will collect facts and opinions as to the practicability and expediency of exonerating the magistrates, wholly or partially, from their jurisdiction with respect to relief; and as to the means by which any enactment for that purpose could be made effectual; and he will endeavour to collect facts and opinions as to the practicability and expediency of appointing and paying persons having, for that special purpose, magisterial authority, subject to a strict superintendence, and removable in case of unfitness, and either itinerant or stationary, to perform, in the administration of the poor laws, all or some part of the duties now imposed on the local magistracy.

IV. THE PERSONS AT WHOSE EXPENCE RELIEF IS GIVEN.

The persons at whose expence parochial relief is afforded, are those rated to the poor in the parish or township from which the pauper is entitled to relief either by settle-

ment or as a casual pauper. This subject may be considered under two heads—

1. The mode in which the rate is assessed and collected.

2. The means by which a person, being an object of relief, acquires a claim to relief from a given parish or township.

1. *Assessment and Collection.*

The Assistant Commissioner will inquire in each parish whether the assessment is considered as fair ; and if complained of as unfair, what would be the expence of enforcing a new assessment ; and he will collect opinions as to the means of reducing that expence. He will inquire whether there are any, and what, houses or lands exempted from assessment, or from which the sums assessed are not actually collected. In some parishes every tenement is rated, and the payment is uniformly enforced ; and it appears, from the evidence already before the Commissioners, that in such places the poor act as checks upon one another, and that improper application for relief is often prevented by the unpopularity of the attempt to increase a burthen in which all immediately participate, and is often rendered unsuccessful

by being denounced to the parochial officers. In other places the rates are collected from the poor only when non-parishioners; a practice which not only abandons the advantage of making the labouring class feel the pressure of the rate, but adds one more to the numerous impediments opposed by the law of settlement to the free circulation of labour. It must be added, that in many places, particularly in the neighbourhood of towns, and where rents are paid by the parish, a class of persons has arisen who speculate in cottages, and in letting apartments to the poor; and, since it has been discovered that the poor are willing and able to pay high rents for small portions of land, speculation will probably take that direction also, and persons will be found to purchase a field or two, to be divided into slips, and let to labourers. The practice of exempting small tenements from rates is very favourable to both these speculations, as it enables the proprietor to increase the rent by the amount of rate remitted, and to be the owner of houses and lands, and yet escape the principal burthens to which such property is subjected.

The Assistant Commissioner will inquire

in each parish what persons are the occupiers and owners of those properties which are not assessed to the poor rate, or from which the rates are not actually collected. What is their ability and rank in life ; and whether they are members of the vestry, or have any means of influencing its decisions ; and how far, and with what effect, the 19th section of Mr. Sturges Bourne's Act, which enables the proprietors of certain dwellings to be rated, has been acted on ; and he will collect facts and opinions as to the propriety of an enactment, making it imperative with respect to tenements not exceeding a given, and what, annual value, or occupied by a given number or class of persons, to charge the proprietors either instead of the occupiers, or, which probably would be better, on their default of payment.

2. A person acquires a claim to relief from a given parish, either as a casual pauper, or as having a settlement in that parish.

1st, Casual Paupers. — The Assistant Commissioner will inquire in each parish what has been the expence of casual paupers during the last three years : what proportion it has

borne to that of the settled paupers : how much of that expence has been recovered from other parishes, and what proportion has been incurred on account of Scotch or Irish poor ; and whether there are any and what number of casual paupers who have become virtually settled in the parish, from their having no known place of settlement to which they might be removed.

2dly, Settled Paupers.—The possibility of acquiring, and consequently of losing a settlement by hiring and service, apprenticeship, renting and purchasing a tenement, and serving a parish office, appears often to occasion transactions, into which men have entered with very different views, to produce important and unforeseen effects on their own welfare, and on that of others ; and it also occasions acts to be forborne or done, in order to prevent or to produce consequences which have no natural connection with those acts. It appears, from the replies to question 5. (Queries, No. 2.), that the fear of giving a settlement by hiring and service has a tendency to prevent steady employment ; the labourer, in those cases in which he might otherwise have been hired for an indefinite

period, or by the year, being hired for fifty-one weeks, and the service, if renewed, being renewed after a week's interval — an interval generally spent in idleness and dissipation. Cases have also been mentioned, where a person has hired, for a year, those among the labourers settled in his parish, whom he most wished to get rid of, and settled them in some other parish, by keeping them there during the last forty days of the year, and then dismissing them. Where the rents of cottages are paid by the parish, the landlords of cottages have taken apprentices for the express purpose of giving them settlements, in order that they might in time become their tenants. Threats have been held out, in other places, that if cottages were rated, the rents should be raised to ten pounds a year (of course collusively), and the parish punished by their being let to out-parishioners.

On the other hand, it has been urged, that, if all these modes of acquiring a settlement are abolished, villages may be seriously injured by the return, in old age and infirmity, of those who have left them in youth and vigour; and that the paupers may suffer, by being

removed from their acquired friends, to places in which they have become strangers.

Settlement by residence has been proposed as an answer to these objections : but this, again, might perhaps be made the source of much fraud and oppression. There are country parishes in which every cottage has been pulled down, so that all the work is done by labourers who are legally resident in some adjoining parish.

The Assistant Commissioner will endeavour to ascertain the amount and nature of the inconveniences arising from each of the existing modes of acquiring a settlement ; and inquire into the probable consequences, both immediate and ultimate, of abolishing any one or more of them, and substituting any, and what, other sources of settlement in their room. And he will particularly inquire, in each parish, what number of Irish or Scotch adults, or young children of Irish or Scotch fathers, have acquired settlements there within the last five years, and under what heads of settlement.

The four other subjects to which allusion has been made,—emigration, the acquisition of land by labourers, taxation on domestic ser-

vants, and rural police, — though not strictly within the province of the Commissioners, are too much connected with it to be left out of their consideration. Emigration, indeed, and amendment of the poor laws, must, for any useful purpose, be united. To attempt to diminish population by removing a portion of the people, and yet leaving in full force the most powerful machinery that ever was applied to their increase, is to attempt to exhaust, by continual pumping, the waters of a perpetual fountain. And, at the same time, it appears essential to any material change in the poor laws, that the local superabundance created or perpetuated by those laws should be drawn off.

V. EMIGRATION.

The Assistant Commissioner will therefore pay particular attention to emigration. He will endeavour to ascertain all the facts connected with every case in which an emigration has been effected, and its influence on the rates of the parish, and on the wages and character of the remaining labourers. He will inquire what sort of persons were sent out,

and how many, and of what character, and within what period, have returned. Where no such attempt has been made, he will ascertain whether the omission is to be attributed to the absence of a redundant population, (and if so, how that absence is to be accounted for,) or to any, and what, difficulties or objections on the part of the rate payers or of the labourers. And he will collect facts and opinions as to the propriety of an enactment enabling any, and what, majority, in number and value, of the rate-payers, with or without the concurrence of any, and what, majority, in number and value, of the proprietors, to raise money for emigration, in what, if any, definite proportion to the rental or rates, and as to the period within which such money should be repaid, and the portion, if any, which should be paid by the proprietors.

VI. ACQUISITION OF LAND BY LABOURERS.

The evidence already before the Commissioners shows that the occupation of land by labourers is rapidly increasing. The Assistant Commissioner will inquire, in each parish,

into the mode in which this is effected, and into its results. For these purposes, he will inquire whether the lessors are the landowners, the farmers, or the parish officers; distinguishing, in the case of landowners, between the cases in which the lessors are the principal landowners, and those in which they are small proprietors. Whether any, and what, selection is made of the occupiers, and what terms, as to rent, period of enjoyment, abstinence from requiring relief, or conduct, are imposed on them. What quantity is allotted to each occupier, and on what principle. What assistance they receive in manuring, working, or seed. How long the practice has existed, and with what effects, as to the welfare and conduct of the labourers, and amount of rates. And he will endeavour to collect facts and opinions as to the average quantity of land which a labourer can beneficially occupy, without withdrawing him from ordinary labour, and as to the expediency of any enactments either to facilitate the practice, or to guard against the danger of its creating a cottier population resembling that of Ireland. He will inquire as to the existence of any lands now positively or comparatively useless,

which may be applied to this purpose ; carefully distinguishing between that land which, though commonly called *waste*, is very far from being *wasted*, but is now turned to its best account as sheepwalk, and that which is really unproductive, or less productive than it might be made by a judicious and profitable application of labour. He will also inquire whether the actual ownership of land by labourers or small proprietors is less common than formerly, and whether that is to be attributed to the pressure of poor rates, the obligation imposed on an applicant for relief of parting with his property, the stamp duties on alienation, or the expence of making a title. And, with reference to the last point, he will inquire whether small proprietors are more usual in any, and in what, degree, among copyholders than among freeholders.

VII. TAXATION ON DOMESTIC SERVANTS.

It has been supposed that the residence of farming labourers, with their employers, has been diminished by the tax on domestic servants ; a tax to which the farmer exposes himself, if he allows the labourers residing

under his roof to perform menial offices. The Assistant Commissioner will inquire whether this supposition is well founded, and whether there is any reason to believe that exempting from the tax all labourers principally employed in agriculture, though occasionally performing menial offices, would tend to make them more frequently resident under their employers' roofs.

VIII. RURAL POLICE.

The last point which has been adverted to is Rural Police. The Assistant Commissioner will inquire in each parish into the ordinary and extraordinary means which it possesses of enforcing public order. The number of constables or tything-men, their general character and remuneration, and the number of yeomanry and special constables, who might be depended upon on any emergency. And he will collect facts and opinions as to the propriety of any, and what, legislative measures on this subject. He will also inquire whether there have been any riots, disturbances, or fires, within the last two years, and endeavour to ascertain their causes, the effects

which have resulted or may be expected to result from them, and the nature and success of the measures by which they were resisted, prevented, or punished.

A brief and imperfect outline has now been given of the specific points of inquiry respecting the practical operation of the laws for the relief of the poor, and the manner in which those laws are administered. But there are two general inquiries, to which each specific inquiry may be made subservient. One is, the great question how far the law which throws on the owners of property the duty of providing the subsistence, and superintending the conduct, of the Poor, has really effected its object ; — how far the proprietors of land and capital appear to have had the power and the will to create, or increase, or render secure, the prosperity and morality of those who live by the wages of labour. It has been supposed that it was to the 43d of *Elizabeth*, and to the superintendence which it forced the richer to exercise over the poorer, that we owed the industry, the orderly habits, and the adequation of their numbers to the demand for labour, which within the memory

of man distinguished the English labourers ; and that the idleness, profligacy, and improvidence, which now debase the character and increase the numbers of the population of many of the South-eastern districts, are owing to the changes, partly by statute, and partly by practice, to which that law has been subjected. On the other hand, it has been maintained, that it is the natural tendency of public relief, however purely and wisely administered, to become a substitute, and a very bad substitute, for private charity on the part of the rich, and industry and forethought on the part of the poor ; that the pure or wise administration of that relief is the exception, not the rule ; that it has more frequently been used as an engine to reduce the wages of labour, or to shift their burthen from the employer, or to gratify the love of power or of popularity ; that where real humanity has been the motive of interference, it has been so little assisted by knowledge or diligence, as to produce, or aggravate, or perpetuate, the misery which it was intended to relieve ; and that the system appeared to work well only while balanced by an almost arbitrary power of removal, and the dread of the work-house,

and while the range of magisterial interference was closely limited.

The other general question is, how far the evils of the present system, or rather of the law which allows, or at least does not prevent, the existence in every parish of every different system of abuse, are diminishing, stationary, or increasing. There can be no doubt that any change in the poor laws, or in the manner of administering them, if great enough to be extensively beneficial, must be attended with immediate local suffering. If, however, the present evils, oppressive as they are, appear to be diminishing, or even to be stationary, it may be more prudent to endure them, than to encounter the certain inconvenience, and the probable hazard, of any extensive alteration. But if the conclusions drawn in the House of Commons' Report of 1817 be correct, — if it be true, that “ unless
 “ some efficacious check be interposed, the
 “ amount of the assessment will continue, as
 “ it has done, to increase, until, at a period
 “ more or less remote, according to the pro-
 “ gress the evil has already made in different
 “ places, it shall have absorbed the profits
 “ of the property on which the rate may

“ have been assessed, producing thereby the
 “ neglect and ruin of the land, and the waste
 “ or removal of other property, to the
 “ utter subversion of that happy order of
 “ society so long upheld in these king-
 “ doms ; ” — if the progress of the evil, even
 during the short period that has elapsed since
 that Report was made, may be traced in the
 diminished cultivation and value of the land ;
 the diminution of industry, forethought, and
 natural affection among the labourers ; the
 conversion of wages from a matter of contract
 into a matter of right, and of charity itself
 into a source of discord, and even of hostility ;
 in the accelerated increase of every form of
 profligacy ; in fires, riots, and organised and
 almost treasonable robbery and devastation ;—
 if such be the representation which the Com-
 missioners have to make to His Majesty ;
 they cannot append to it a suggestion of mere
 palliative amendments.

APPENDIX.

COPIES OF THE QUERIES CIRCULATED BY THE
COMMISSIONERS.

Queries for Rural Districts.

No. I.

1. NAME and county of your parish or township?
2. Number of acres in your parish or township?
3. How much common? How much woodland? How much arable? How much pasture?
4. Number of labourers sufficient for the proper cultivation of the land?
5. Number of agricultural labourers in your parish?
6. Number of labourers generally out of employment, and how maintained in summer and in winter?

7. Weekly wages, with and without beer or cider, in summer and in winter ?

8. Whether labourers are apportioned amongst the occupiers according to the extent of occupation, acreage rent, or number of horses employed ?

9. Whether any distinction is made in wages paid by their employers to married and single men when employed by individuals ?

10. Whether any and what allowance is made from the poor's rate on account of large families, and if so, at what number of children does it begin ?

11. Whether the system of roundsmen is practised, or has been practised ?

12. Is any work done for individuals, and partly paid for by the parish ?

13. What class of persons are generally the owners of cottages ?

14. The rent of cottages ?

15. Whether gardens to the cottages ?

16. Whether any land let to labourers : if so, the quantity to each, and at what rent ?

17. What are your rates per pound by the year, at rack-rent, or how estimated ?

18. Have they increased or diminished during the last year, compared with the preceding ?

19. Have you a select vestry and assistant overseer, and what has been the effect?

20. Have you a workhouse? state the number, age, and sex of its inmates?

21. What number of individuals received relief last week, not being in the workhouse?

22. What can women, and children under 16, earn per week, in summer, in winter, and harvest; and how employed?

23. How many non-parishioners have you in general, distinguishing Irish and Scotch?

Queries for Rural Districts.

No. II.

1. Are there many or few landowners in your parish; and are the farms large or small?

2. What is the allowance received by a woman for a bastard? and does it generally repay her, or more than repay her, the expence of keeping it? and is the existing law for the punishment of the mother whose bastard child becomes chargeable often executed for the first or for the second offence?

3. What number of bastards have been chargeable to your parish, and what has been the expence occasioned by them during each

of the last five years? and how much of that expence has been recovered from the putative fathers? and how much from the mothers?

4. Can you suggest any, and what, change in the laws respecting bastardy?

5. Do the labourers in your neighbourhood change their services more frequently than formerly? and how do you account for that circumstance?

6. Are there many cases in your parish where the labourer owns his cottage?

7. What class of persons are the usual owners of cottages?

8. Are cottages frequently exempted from rates? and is their rent often paid by the parish?

9. Is the industry of the labourers in your neighbourhood supposed to be increasing or diminishing; that is, are your labourers supposed to be better or worse workmen than they formerly were?

10. Have you any, and what, employment for women and children?

11. Is piece-work general in your neighbourhood?

12. What in the whole might an *average* labourer, obtaining an *average* amount of

employment both in day-work and piece-work, expect to earn in the year, including harvest work and the value of all his other advantages and means of living, except parish relief?

You will observe, that this question refers to an *average* labourer obtaining an *average* amount of employment, not to the best labourer in constant employment.

13. What in the whole might his wife and four children, aged 14, 11, 8, and 5 years respectively, (the eldest a boy,) expect to earn in the year? obtaining, as in the former case, an average amount of employment.

14. Could the family subsist on these earnings? and if so, on what food?

15. Could it lay by any thing? and how much?

16. Is there any, and what, difference between the wages paid by the employer to the married and unmarried, when employed by individuals?

17. Have you any, and how many, able-bodied labourers in the employment of individuals receiving allowance or regular relief from your parish on their own account or on that of their families?

18. Is that relief or allowance generally given in consequence of the advice or order of the magistrates? or under the opinion that the magistrates would make an order for it, if application were made to them?

19. Is any, and what, attention paid to the character of the applicant, or to the causes of his distress?

20. Is relief or allowance given according to any, and what, scale?

21. Can you state the particulars of any attempt which has been made in your neighbourhood to discontinue the system (after it has once prevailed) of giving to able-bodied labourers in the employ of individuals parish allowance on their own account, or on that of their families?

22. What do you think would be the effects, both immediate and ultimate, of an enactment forbidding such allowance, and thus throwing wholly on parish employment all those whose earnings could not fully support themselves and their families?

23. Would it be advisable that the parish, instead of giving allowance to the father, should take charge of, employ, and feed his children during the day? and if such a prac-

tice has prevailed, has it increased or diminished the number of able-bodied applicants for relief?

24. What do you think would be the effect of an enactment enabling parishes to tax themselves in order to facilitate emigration?

25. What do you think would be the effect, immediate and ultimate, of making the decision of the vestry or select vestry in matters of relief final?

26. If an appeal from the vestry or select vestry shall continue, what do you think would be the effect, immediate and ultimate, of restoring the law as it stood before the stat. 36 Geo. III. cap. 23. was passed, so that, in any parish having a workhouse or poor-house, the magistrates should not have the power of ordering relief to be given to persons who should refuse to enter the workhouse or poor-house?

27. Do you know of any cases in which the clause of Mr. Sturges Bourne's Act (59 Geo. III. cap. 12. § 29.), enabling relief to be made by way of loan, has been acted on?

28. Is the amount of agricultural capital in your neighbourhood increasing, or diminishing? And do you attribute such increase or

diminution to any cause connected with the administration of the poor laws ?

29. Can you suggest any improvement in the mode of keeping and auditing and publishing parish accounts ?

30. Can you suggest any, and what, alteration in the settlement laws, for the purpose either of extending the market for labour, or interfering less with contracts, or diminishing fraud or litigation ?

31. Do you think it would be advisable to afford greater facilities than now exist, either for the union or for the subdivision of parishes or townships, for any purpose connected with the management of parochial affairs ?

32. Can you give the Commissioners any information respecting the causes and consequences of the agricultural riots and burning of 1830 and 1831 ?

33. What is the name and county of the parish, township, or district to which your answers refer ?

No. III.

Town Queries.

1. Have you a local act for the management of the Poor? what is its date, and what have been its effects?

2. In whom does it vest the power of distributing relief?

3. In what other respect do its provisions differ from the general law of the land?

4. Do you think any of its provisions might be advantageously applied to parishes in general?

5. Are the concerns of the parish managed by any boards or committees appointed by the vestry?

6. Have you had any experience of a select vestry under Mr. Sturges Bourne's Act, 59 Geo. III. cap. 12.? and for what period? what have been its effects?

7. How many overseers have you? of what class of persons are they? are they usually tradesmen, or men engaged in business?

8. Do they often serve in successive years?

9. Have you any assistant or paid over-

seer, or other salaried officer, to assist those who administer parish relief?

10. Is your parish for any purposes divided into wards or districts, with parish officers resident in each?

11. Do you think it would be advisable to afford greater facilities than now exist, either for the union, or, on the other hand, for the subdivision, of parishes or townships, for any purposes connected with the management of parochial affairs?

12. Have you a workhouse in your parish? state the number, age, and sex of its inmates, and, as far as you can ascertain them, their former occupations.

13. Are all or any, and which, of the paupers in the workhouse employed, and on what description of work?

14. What has been the profit or loss to the parish during the last year, in consequence of their having been so employed?

15. Is any, and what, distinction made in fare or treatment between the aged and impotent, and the able-bodied inmates of the workhouse? and is the allowance of food to the latter proportioned to the work done?

16. Is there a separation of the male from the female inmates in your workhouse?

17. Do you farm any, and how many, of your poor? and at what rate per head? and since when? and what has been its effect?

18. What is the expence of the poor in the workhouse per head per week, including the expence of the establishment?

19. What is the average expence per head per year, including all the expence of the establishment?

20. Have you any and what improvements to suggest in the management of workhouses?

21. How do you provide for your infant poor?

22. State the numbers, ages, sexes, and description, and, as far as you can ascertain them, the present or former occupations, of the poor relieved out of the workhouse?

23. Are the overseers or other persons who distribute relief to the out-poor acquainted with the persons of the out-paupers?

24. Is there any visitation of the poor at their houses? or what other means are taken to ascertain the real necessities of the applicants for relief?

25. Are there any means taken to ascertain

whether the aged poor applying for relief have children able to maintain them?

26. Are any means taken to ascertain whether persons claiming relief on account of temporary want of employment have voluntarily thrown themselves out of work, or have previously received wages sufficient to enable them to make provision against the stoppage of work? and, in apportioning relief, is any, and what, attention paid to the character of the applicant, or the causes of his distress?

27. Is allowance or regular relief out of the workhouse given by your parish to any able-bodied mechanics, manufacturers, labourers, or servants? state the number, and, as far as you can, the actual or former occupations, of the persons to whom such relief is given?

28. Is that relief or allowance given in consequence of the advice or order of the magistrate? or under the opinion that the magistrates would make an order if application were made to them?

29. Is it given according to any, and what, scale? Is it given to any persons wholly employed by individuals, on the ground that their wages are insufficient to maintain their children?

30. To how many able-bodied men (parishioners) has occasional relief been given during the last year? and have the numbers so relieved exceeded or fallen short of the annual average?

31. Have you any, and what, mode of employing able-bodied paupers out of the work-house?

32. Is relief ever, and under what circumstances, given to able-bodied applicants, without setting them to work?

33. Have you any, and what, employment for women and children?

34. What are the classes of manufacturers, workmen, or labourers in your parish whom you believe to be most subject to distress?

35. What in the whole might an average man of each of these classes, obtaining an average amount of employment in day-work and piece or job work, expect to earn in the whole year, including all his advantages and means of living, except parish relief?

N.B. You will observe, that this question refers to an average man, obtaining an average amount of employment, not to the best workman in constant employment?

36. What in the whole might his wife and

four children, aged 14, 11, 8, and 5 years respectively, (the eldest a boy,) expect to earn in a year, obtaining, as in the former case, an average amount of employment?

37. Could the family subsist on these earnings, and if so, on what food?

38. Could it lay by any thing? and how much?

39. What proportion of the labouring poor in your parish do you believe to be non-parishioners? What proportion of these are Irish or Scotch?

40. Are your payments on account of casual poor considerable?

41. Can you state the particulars of any attempt which has been made in your neighbourhood to discontinue the system (after it has once prevailed) of giving parish allowance to able-bodied men in the employ of individuals, or to the families of such men?

42. What do you think would be the effects, both immediate and ultimate, of an enactment forbidding such allowance, and thus throwing wholly on parish employment all those whose earnings could not fully support themselves and their families?

43. Would it be advisable that the parish,

instead of giving allowance to the father, should take charge of, employ, and feed his children during the day? and if such a practice has prevailed, has it increased or diminished the number of able-bodied applicants for relief?

44. What do you think would be the effect of an enactment enabling parishes to tax themselves in order to facilitate emigration?

45. What do you think would be the effect, immediate and ultimate, of making the decision of the vestry or select vestry in matters of relief final?

46. If an appeal from the vestry or select vestry shall continue, what do you think would be the effect, immediate and ultimate, of restoring the law as it stood before the stat. 36 Geo. III. cap. 23. was passed, so that, in any parish having a workhouse or poor-house, the magistrates should not have the power of ordering relief to be given to persons who should refuse to enter the workhouse or poor-house?

47. Are there many small houses or cottages in your parish?

48. What class of persons are the usual proprietors of them?

49. Are these dwellings in any case exempted from rates ?

50. Are the landlords rated in respect of houses below any, and what, rent ?

51. Do they compound, or are they rated on the same terms as the occupiers of other houses ?

52. Where the occupiers are rated in respect of small houses or cottages, are the rates usually paid ?

53. What is the usual per-centage of the whole rate imposed on your parish which is not ultimately collected ?

54. How does the deficiency arise ?

55. What is the allowance received by a woman for a bastard, and does it generally repay her, or more than repay her, the expence of keeping it ? and is the existing law for the punishment of the mother whose bastard child becomes chargeable often executed for the first or for the second offence ?

56. What number of bastards have been chargeable to your parish ? and what has been the expence occasioned by them during each of the last five years ? and how much of that expence has been recovered from the puta-

tive fathers? and how much from the mothers?

57. Can you suggest any, and what, change in the laws respecting bastardy?

58. Can you suggest any, and what, improvement in the settlement laws?

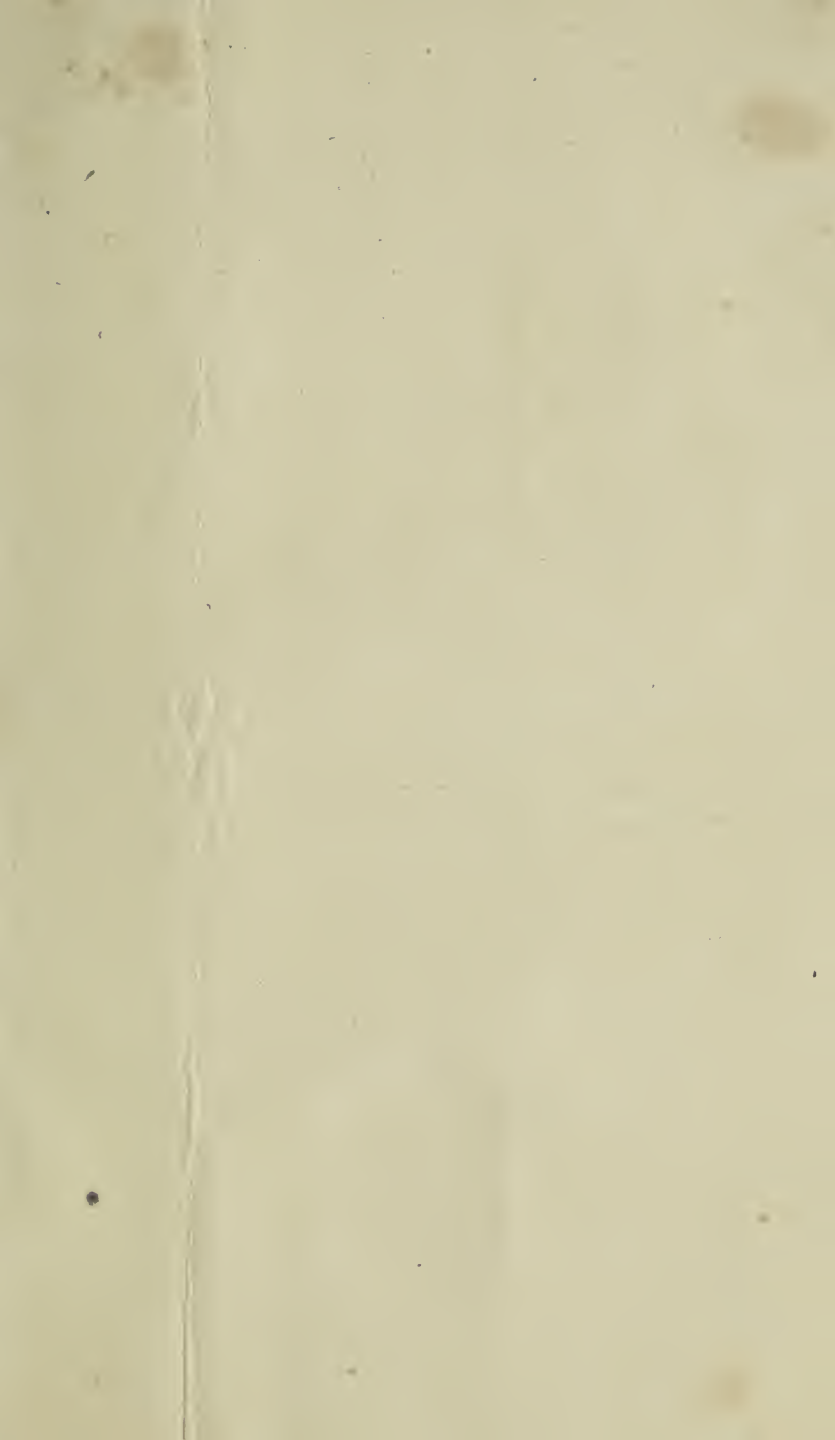
59. What has been the expence annually in the last three years of removing paupers? What expence in the same three years has arisen annually from litigation respecting settlements?

60. Is there any provision for auditing your parish accounts? are they published, or rendered accessible and intelligible to the parishioners?

61. Can you suggest any improvement in the mode of keeping and auditing and publishing such accounts?

62. What is the name and county of the city, town, parish, or township to which your answers refer?

THE END.





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